REMARKS

Claims 1-28 have been cancelled, and new claims 29-63 have been added to more clearly and fully characterize the invention. Thus, claims 29-63 remain pending in the case. Reconsideration of the present case is earnestly requested in light of the following.

The previous Office Action cited Lindsey (U.S. Patent No. 5,675,801) and Donoho (U.S. Patent No. 6,263,362). Applicant submits that neither Lindsey nor Donoho teaches Applicant's invention as claimed. Applicant further submits that neither Lindsey nor Donoho provides any motivation to combine, and that even if they were combinable, which Applicant argues they are not, the combination would not produce Applicant's invention as claimed.

New claim 29 recites:

29. A method for creating a prototype for performing a machine vision process to solve a machine vision problem, the method comprising:

displaying information indicating a plurality of machine vision problems;

receiving user input selecting a machine vision problem from the plurality of machine vision problems; and

automatically creating a prototype including a plurality of elements in response to the selected machine vision problem, wherein the plurality of elements are operable to interact in order to perform a machine vision process that solves the selected machine vision problem.

Applicant notes that Lindsey relates generally to an object-oriented system and method for generating target language code. A user manipulates an object-oriented user interface to select and combine objects to represent a desired computer programming function (Abstract; Col. 5 line 67 – Col. 6 line 3). "The result is an object-oriented model of the desired target language program" (Abstract), which is processed by a generator engine into source code comprising a set of code templates, each code template

corresponding to a different construct in the target language and comprising fragments of code (Abstract; Col. 2 line 65 – Col. 3 line 15).

In regard to claim 29, the claim recites in part, "displaying information indicating a plurality of machine vision problems" and "receiving user input selecting a machine vision problem from the plurality of machine vision problems". The previous Office Action asserted that Lindsey teaches receiving user input specifying a problem from a plurality of problems in Col. 5 line 67 – Col. 6 line 3, apparently referring to the manner in which the user manipulates the object-oriented user interface to create a representation of a desired computer programming function, as described above. Applicant respectfully disagrees.

Applicant submits that "an object-oriented model of the desired target language program" that is constructed by the user, as described by Lindsey, is not the same as "receiving user input selecting a machine vision problem from the plurality of machine vision problems". Rather, as noted above, the "object-oriented model of the desired target language program" is more appropriately referred to a prototype of the program or function, as known to those skilled in the art of software prototyping. Thus, Applicant submits that in Lindsey's system, the user provides a prototype of the desired function in the form of the selected and combined objects, and target language code is automatically generated based on the prototype.

Applicant thus respectfully submits that the Examiner's interpretation of the user created prototype (the user-selected and user-combined objects) as a user-selected problem is improper.

The Office Action also states that Lindsey teaches automatically creating a prototype including a plurality of elements in response to the specified problem wherein the plurality of elements are operable to perform a process that solves a specified problem, in Col. 2 line 65 – Col. 3 line 15. However, this portion of Lindsey relates to generating source code to implement the object-oriented program specification created by the user using the object-oriented user interface. It does not teach the concept of

automatically creating a prototype based on user selection of a machine vision problem from a plurality of machine vision problems.

Applicant submits that in Lindsey's system, the user creates a prototype of a solution ("an object oriented model of the desired target language program"), not a problem, and that Lindsey then generates program code based on the selected or specified prototype solution. Applicant submits that creating a prototype solution, then generating program code implementing that solution is quite different from selecting a problem, then generating a solution that solves the problem.

Applicant further notes that nowhere does Lindsey teach, suggest, or even hint at, machine vision processes, machine vision problems, or machine vision at all.

Regarding Donoho, as stated in the Abstract, "the invention relates to a new process of communication using computers and associated communications infrastructure. More particularly, the invention relates to a method and apparatus for computed relevance messaging." Applicant notes that Donoho neither teaches nor suggests machine vision processes, machine vision problems, or machine vision at all. Nor does Donoho teach or suggest prototypes.

As Donoho describes in the Summary, in Donoho's system, advice providers "author advisories, which are specially structured digital documents which may contain:
(1) Humanly-interpretable content, such as text and multimedia;
(2) Computer-interpretable content, such as executable programs and data; and
(3) Expressions in a special computer language called the relevance language."

Additionally, "The humanly-interpretable content in an advisory may describe the condition that triggered the relevance determination and propose an action in response to the condition, which could range from installing software to changing system settings to purchasing information or software."

Moreover, "Applications referred to as advice readers running on the computers of advice consumers periodically obtain advisories from advice servers which operate at advice sites. Advice readers process the messages so obtained and automatically interpret the relevance clauses. They determine whether a given message is relevant in the environment defined by the consumer's computer and associated devices. The user is

then notified of those messages which are relevant, and the user may read the relevant advisories and invoke the recommended actions."

Thus, in Donoho's system, each advisory includes the conditions (problem) *and* the instructions (solution). In other words, the solution is provided with the problem statement or condition. Additionally, the advisories are retrieved by advice readers (programs running on the user's computer system) and evaluated for relevance, prior to presenting them to the user. Applicant respectfully submits that Donoho does not teach *displaying information indicating a plurality of machine vision problems, receiving user input selecting a machine vision problem from the plurality of machine vision problems; and automatically creating a prototype including a plurality of elements in response to the selected machine vision problem, wherein the plurality of elements are operable to interact in order to perform a machine vision process that solves the selected machine vision problem.*

Thus, regarding the Office Action's assertion that Lindsey and Donoho may be combined to produce Applicant's claimed invention, Applicant submits that Lindsey does not teach selection of a problem and automatic generation of a prototype solution, as argued above, and that Donoho does not teach displaying information indicating a plurality of problems, but rather, teaches displaying advisories that include respective situations as well as proposed actions to correct the situations based on a relevance determination performed by an advice reader (see Figure 2, and col. 6, lines 2-68).

Applicant thus submits that claim 29 and its dependent claims are allowable, for at least the reasons given above. In addition, the claims dependent on claim 29 recite numerous elements that are not disclosed or suggested by the cited references, taken either singly or in combination. Inasmuch as the other independent claims recite elements similar to those of claim 29, Applicant also believes these claims and their dependent claims to be allowable.

For at least the reasons presented above, Applicant respectfully submits that the claims as currently presented are patentably distinct over both Lindsey and Donoho, either singly or in combination.

CONCLUSION

In light of the foregoing amendments, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-44800/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☒ Request for Continued Examination
- ☐ Notice of Change of Address
- ☐ Check in the amount of $ for fees ( ).
- ☐ Other:

Respectfully submitted,

JCH

Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

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